

Turner | Padget

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March 16, 2015

RECEIVED

MAR 16 2015

VIA HAND DELIVERY

The Honorable Daniel E. Shearouse, Clerk
South Carolina Supreme Court
Supreme Court Building
1231 Gervais Street
Columbia, SC 29201

S.C. Supreme Court

Re: George Skipper, Veronica Skipper, Michael Perry Bowers, Specialty Logging, LLC and Harold Moors v. ACE Property and Casualty Insurance Company, Brantley C. Rowlen and Erin Lawson Coia
Appellate Case No.: 2014-001979

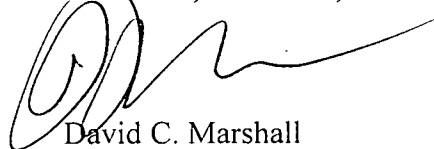
Dear Mr. Shearouse:

Enclosed please find the original and seven copies of the Motion of Property Casualty Insurance Association of America for Leave to Adopt and Join Brief of Amicus Curiae South Carolina Defense Trial Attorneys' Association regarding the above-referenced matter. Also enclosed are the original and one copy of the Proof of Service and our check for the filing fee. Please file the original documents and return clocked copies to me via our office courier. Thank you for your assistance with this matter, and please contact me if you have any questions.

With kind regards, I am

Very truly yours,

TURNER, PADGET, GRAHAM & LANEY, P.A.



David C. Marshall

DCM/rbb
Enclosures

March 16, 2015

Page 2

cc: Blake A. Hewitt, Esquire
Mark B. Tinsley, Esquire
Randolph Murdaugh IV, Esquire
Ronald K Wray, II, Esquire
Robert H. Hood, Esquire
Robert H. Hood, Jr., Esquire
Justin Tyler Bamberg, Esquire
Alan Jones, Esquire
(w/enc.)

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S.C. Supreme Court

THE STATE OF SOUTH CAROLINA
In the Supreme Court

CERTIFIED QUESTION FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

J. Michelle Childs, United States District Judge

Appellate Case No. 2014-001979

George Skipper, Veronica Skipper
Michael Perry Bowers, Specialty Logging,
LLC, and Harold Moors, Plaintiffs,

v.

ACE Property and Casualty Insurance
Company, Brantley C. Rowlen and
Erin Lawson Coia, Defendants.

MOTION OF PROPERTY CASUALTY INSURANCE ASSOCIATION OF AMERICA
FOR LEAVE TO ADOPT AND JOIN BRIEF OF AMICUS CURIAE
SOUTH CAROLINA DEFENSE TRIAL ATTORNEYS' ASSOCIATION

Pursuant to Rule 213, SCACR, Property Casualty Insurance Association of America (“PCIAA”) hereby moves for leave of this Court to appear as Amicus Curiae in the above-referenced matter. In making this request, PCIAA does *not* seek to file any additional briefing in this matter, but instead seeks to adopt and join in the Amicus Curiae brief already filed in this matter by the South Carolina Defense Trial Attorneys’ Association (“SCDTAA”). PCIAA makes this request for the following reasons:

1. PCIAA is composed of approximately 1,000 member companies, representing a broad cross-section of insurers across the United States. PCIAA members

write more than \$183 billion in annual premiums, constituting approximately 35% of the nation's property casualty insurance. Member companies write approximately 42% of the U.S. automobile insurance market, 27% of the homeowners market, 32% of the commercial property and casualty market, and 34% of the private workers compensation market. PCIAA members write approximately 30.7% of the property casualty insurance market in South Carolina.

2. PCIAA is committed to promoting and protecting the viability of a competitive private insurance market for the benefit of consumers and insurers.

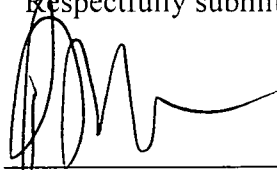
3. This appeal involves a certified question concerning the assignability among adversaries of a legal malpractice claim, which raises significant policy considerations affecting the practice of law and the public, as described in detail in the *Amicus Curiae* brief filed by SCDTAA.

4. Insurance plays a critical role in our civil justice system. Insurers have contractual duties to indemnify and defend their insureds, as well as certain duties of good faith and fair-dealing. These duties serve as the infrastructure for much of modern tort litigation and often lead to the creation of attorney-client relationships between insureds and attorneys retained by insurers. The tripartite relationship between insurers, insureds, and their attorneys is a complicated one. Any conflict of interest between these parties or derogation of the duties owed to insureds will substantially hinder the administration of justice and have adverse consequences on the legal system, insurance industry, and public.

5. PCIAA believes the position espoused by SCDTAA in its *Amicus Curiae* brief best protects and preserves the sanctity of the legal system. It affords the best

protection to the public, members of the bar, and insurance market. Accordingly, PCIAA respectfully requests leave to adopt and join in the Amicus Curiae brief previously filed in this matter by SCDTAA.

Respectfully submitted,



March 16, 2015

By:

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David C. Marshall (Bar No. 73760)
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ATTORNEYS FOR AMICUS CURIAE
PROPERTY CASUALTY INSURANCE
ASSOCIATION OF AMERICA

THE STATE OF SOUTH CAROLINA
In the Supreme Court

CERTIFIED QUESTION FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

J. Michelle Childs, United States District Judge

Appellate Case No. 2014-001979

George Skipper, Veronica Skipper
Michael Perry Bowers, Specialty Logging,
LLC, and Harold Moors,..... Plaintiffs,

v.

ACE Property and Casualty Insurance
Company, Brantley C. Rowlen and
Erin Lawson Coia, Defendants.

PROOF OF SERVICE

I certify this 16th day of March 2015 that I have served copies of the MOTION OF PROPERTY CASUALTY INSURANCE ASSOCIATION OF AMERICA FOR LEAVE TO ADOPT AND JOIN BRIEF OF AMICUS CURIAE SOUTH CAROLINA DEFENSE TRIAL ATTORNEYS' ASSOCIATION and the CERTIFICATE OF COUNSEL upon other counsel of record, by mailing same, postage prepaid in the United States mail, addressed to the following:

Blake A. Hewitt, Esquire
Bluestein Nichols Thompson & Delgado
P. O. Box 7965
Columbia, SC 29202

Ronald K Wray, II, Esquire
Gallivan White and Boyd
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Mark B. Tinsley, Esquire
Gooding & Gooding
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Allendale, SC 29810

ATTORNEYS FOR DEFENDANT
ACE PROPERTY AND CASUALTY
INSURANCE COMPANY

Randolph Murdaugh IV, Esquire
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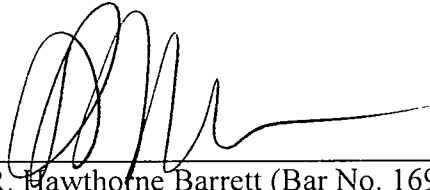
ATTORNEYS FOR PLAINTIFFS

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Robert H. Hood, Jr., Esquire
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ATTORNEYS FOR DEFENDANTS
BRANTLEY C. ROWLEN AND ERIN
LAWSON COIA

March 16, 2015

By:



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ATTORNEYS FOR AMICUS CURIAE
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